

Message Text

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ACTION EB-07

INFO OCT-01 IO-10 ISO-00 FEA-01 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-02 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01 SIL-01

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PASS STR ACTION FOR GREENWALD

PASS LABOR FOR JOHN GARSON

E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJECT: INTERNATIONAL FAIR LABOR STANDARDS ACTIVITIES IN GENEVA

1. SUMMARY: THE INTERNATIONAL METALWORKERS FEDERATION (THE METALWORKERS) IS PUSHING FOR INCLUSION IN THE GATT OF A SOCIAL CLAUSE THAT CALLS FOR INTERNATIONAL FAIR LABOR STANDARDS AND A TRIPARTITE COMMISSION (UNION, MANAGEMENT AND GOVERNMENT) THAT WOULD AFFORD OPPORTUNITY FOR PETITION AND CONFRONTATION PROCEDURES SUCH AS ARE CALLED FOR IN SECTION 121 OF THE TRADE ACT. THE METALWORKERS PROPOSAL IS ONE EXPLANATION OF WHAT THE DRAFTERS OF SEC 121 MAY HAVE HAD IN MIND WHEN THEY CALLED FOR PETITION AND CONFRONTATION PROCEDURES. THE SWEDISH GENEVA MISSION HAS TAKEN THE METALWORKERS PROPOSAL TO THE ILO BUT NO APPROACH HAS BEEN MADE OR IS PLANNED BY THE SWEDES, OR ANYONE ELSE SO FAR AS IS KNOWN, TO BRING THE PROPOSAL TO THE MTN OR

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OR GATT. END SUMMAR6.

2. INTERNATIONAL FAIR LABOR STANDARDS IN THE GATT, AS CALLED FOR IN SEC 121 WITH CONFRONTATION AND PETITION PROCEDURES, COULD BECOME AN ISSUE IN THE MTN AS A RESULT OF INITIATIVES BY THE GENEVA HEADQUARTERED INTERNATIONAL METALWORKERS FEDERATION TO PUT A SOCIAL CLAUSE IN THE GATT.

3. METALWORKERS IS AN "INTERNATIONAL TRADE SECRETARIAT" MADE UP OF UNIONS IN METALWORKING INDUSTRIES IN MOST WESTERN DEVELOPED COUNTRIES AND MANY LDCS. IT IS LED AT PRESENT BY AN AMERICAN, HERMAN REBHAN, FORMERLY HEAD OF THE UAW WASHINGTON OFFICE.

4. BEGINNING IN 1961 THE METALWORKERS CONFERENCES ADOPTED A RESOLUTION WHICH HAS CHANGED SOMEWHAT OVER THE YEARS BUT IN 1974 READ AS FOLLOWS: THE METALWORKERS QUOTE DEMANDS THE INCLUSION IN THE GENERAL AGREEMENT ON TARIFFS AND TRADE-GATT AND IN ALL INTERNATIONAL TRADE AGREEMENTS OF A BEGIN INNERQUOTE SOCIAL CLAUSE END INNERQUOTE COVERING EMPLOYMENT AND INCOME GUARANTEES, THE OBSERVANCE OF ILO STANDARDS, PUBLIC CONTROL, ANTICIPATORY SOCIAL ADAPTION MEASURES AND DEMOCRATIC PLANNING OF SOCIAL AND ECONOMIC DEVELOPMENT AND THE ESTABLISHMENT OF A TRIPARTITE INTERNATIONAL COMMISSION ON TRADE AND DEVELOPMENT, WHICH ENSURES THE APPLICATION OF THESE PRINCIPLES; END QUOTE.

5. THIS RESOLUTION HAS NOW BEEN EXPANDED INTO A "PROPOSAL CONCERNING A BEGIN UNDERLINE SOCIAL CLAUSE END UNDERLINE TO BE INSERTED IN THE G.A.T.T. TREATY -- TO BE SUBMITTED TO THE FORTHCOMING GATT NEGOTIATIONS, THROUGH THE SWEDISH GOVERNMENT, WITH THE SUPPORT OF OTHER LABOUR GOVERNMENTS," THE ENTIRE TEXT OF WHICH IS BEING HAND-CARRIED TO STR AND LABOR. TWO MOST PERTINENT PARAGRAPHS ARE:

A. BEGIN QUOTE FAIR LABOUR STANDARDS

THE CONTRACTING PARTIES RECOGNIZE THAT COUN-
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TRIES HAVE A COMMON INTEREST IN THE ACHIEVEMENT AND MAINTENANCE OF FAIR LABOUR STANDARDS, INCLUDING THE AVOIDANCE OF DISCRIMINATION OF ANY KIND, AND SHALL OBSERVE THESE STANDARDS IN INTERGOVERNMENTAL DECLARATIONS, CONVENTIONS AND AGREEMENTS.

SPECIFIC CRITERIA FOR THE FAIR LABOUR STANDARDS
SHALL BE THE ADHERENCE TO THE HUMAN RIGHTS DEFINED IN

THE UNITED NATIONAL CHARTER-UNIVERSAL DECLARATION OF HUMAN RIGHTS, AND I.L.O. INSTRUMENTS, INCLUDING THE RECOGNITION OF THE FREEDOM OF ASSOCIATION, TRADE UNION RIGHTS, ADEQUATE HEALTH AND SAFETY PRECAUTIONS, SOCIAL STANDARDS AND SOCIAL WELFARE SCHEMES AND THE ACCEPTANCE OF THE NEED FOR CONTINUAL IMPROVEMENT IN WORKING CONDITIONS AND SOCIAL STANDARDS. END QUOTE.

B. BEGIN QUOTE CREATION AND FUNCTION OF AN INTERNATIONAL COMMISSION ON TRADE AND EMPLOYMENT.

A TRIPARTITE INTERNATIONAL COMMISSION ON TRADE AND EMPLOYMENT SHALL BE CREATED WITHIN THE FRAMEWORK OF GATT, COMPOSED OF REPRESENTATIVES OF GOVERNMENTS, TRADE UNION ORGANISATIONS AND EMPLOYERS' ASSOCIATIONS. THIS INTERNATIONAL COMMISSION SHALL

-- PREPARE A YEARLY REPORT CONCERNING THE EFFECTS OF TRADE AND INVESTMENT (INCLUDING MULTINATIONAL COMPANIES) ON EMPLOYMENT THROUGHOUT THE WORLD;

-- CONSIDER AND REPORT ON EMPLOYMENT AND SOCIAL PROBLEMS, WHICH HAVE RESULTED IN THE INVOKEMENT OF ARTICLE 19, SPECIFIC COMPLAINTS OF CONTRACTING PARTIES, AND COMPLAINTS RAISED BY EMPLOYERS' ASSOCIATIONS AND TRADE UNION ORGANISATIONS; AND

-- EXAMINE THE APPLICATION OF PARAGRAPHS 1 - 7 OF THIS SOCIAL CLAUSE. END QUOTE.

6. THE SWEDISH GOVERNMENT MENTIONED THE ISSUE AT LIMITED OFFICIAL USE

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THE TOKYO MINISTERIAL AND RECENTLY BROUGHT IT TO THE ATTENTION OF THE DIRECTOR GENERAL OF THE ILO. THE SWEDES DO NOT, REPEAT NOT, PRESENTLY PLAN ANY FURTHER INITIATIVES ON THIS ISSUE. THE SWEDES STATE THAT THEY HAVE REACTED POSITIVELY TO THE CONCEPT AND THAT THE ILO REACTED POSITIVELY. THE SWEDED BELIEVE THAT ANY FURTHER ACTION IS UP TO THE ILO OR THE METALWORKERS.

7. COMMENT: DISCUSSION WITH THE METALWORKERS AND SWEDISH DELEGATION MADE IT APPARENT THAT BOTH TAKE A VERY LONG RANGE VIEW OF THIS PROPOSAL. THE SWEDES STATED THAT THEY DEFINITELY DO NOT PLAN TO BRING THIS UP IN THE SAFEGUARDS GROUP WHERE COLLIANDER, A SWEDE, IS CHAIRMAN. MCNAMARA

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